

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

STEVEN FLOYD VOSS,	Case No. 3:16-cv-00660-MMD-WGC
Petitioner,	ORDER
v.	
ISIDRO BACA, et al.,	
Respondents.	

The Court directed petitioner to show cause why the action should not be dismissed because it is an unauthorized second or successive petition. See 28 U.S.C. § 2244(b). Petitioner has responded with a motion for a stay and abeyance (ECF No. 5) and a motion to amend order (ECF No. 6). Petitioner argues that the Court did not give him the opportunity to ask for a stay so that he can seek authorization from the court of appeals to file a second or successive petition. Given that petitioner has not yet even sought, let alone received, authorization from the court of appeals, the Court cannot consider his petition. The Court dismisses the action. If the court of appeals authorizes the filing of a second or successive petition, then petitioner may commence a new action.

Reasonable jurists would not find the Court’s conclusion to be debatable or wrong, and the Court will not issue a certificate of appealability.

It is therefore ordered that petitioner’s motion for a stay and abeyance (ECF No. 5) is denied.

It is further ordered that petitioner’s motion to amend order (ECF No. 6) is denied.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

It is further ordered that this action is dismissed as a second or successive petition.  
The Clerk of the Court shall enter judgment accordingly and dismiss this action.

It is further ordered that a certificate of appealability will not issue.

DATED THIS 8<sup>th</sup> day of May 2018.



---

MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE